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10/525,187	02/22/2005	Hiroyuki Koike	112857-427	3938
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BELL, BOYD & LLOYD, LLP			NOORISTANY, SULAIMAN	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/525,187

Applicant(s)

KOIKE, HIROYUKI

Examiner

Sulaiman Nooristany

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-40 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 21-40 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>02/22/2005</u> . | 6) <input type="checkbox"/> Other: ____ |

Detailed Action

This Office Action is response to the Non-provisional patent application (10/525187) filed on 22, Feb 2005.

Claim Rejections - 35 USC § 101

Claims 21-40 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter in which it describes the transmission of data between multiple network devices back and forth without tangible result.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 21-40 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. However the claims will be given a broad reasonable interpretation for the purposes of examination as best understood.

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Claim 21 recites the limitation "content" in line 3. There is insufficient antecedent basis for this limitation in the claim. It is unclear as to which network point this phrase is referring (i.e., Application server, service server, content server or application client).

Claim 21 recites the limitation "access information" in line 7. There is insufficient antecedent basis for this limitation in the claim. It is unclear as to which information the network accessing or referring. Further, this limitation has been appeared through the rest of the claims (22-40), therefore, claims 22-40 are rejected under the same rationale as in claim 21.

Claim 21 recites the limitation "action information" in line 12. There is insufficient antecedent basis for this limitation in the claim. It is unclear as to know that what action information or phrase referring to (i.e., IP address, user name, etc). Further, this limitation has been appeared through the rest of the claims (22-40), therefore, claims 22-40 are rejected under the same rationale as in claim 21.

Claim 23 recites the limitation "another information" in line 3. There is insufficient antecedent basis for this limitation in the claim. It is unclear as to which information this phrase is referring (i.e., from application server to service server, or from content server to application client, or vice versa.) Further, this limitation has been appeared through the rest of the claims (24-40), therefore, claims 24-40 are rejected under the same rationale as in claim 23.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-
(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

Claims 21-40 are rejected under 35 U.S.C. 102(e) as being anticipated by **Morgan U.S. Patent App. No. US 2002/0165967**.

Regarding claim 21, Morgan teaches wherein an information processing system (A system for providing user information (Abstract, line. 1)), comprising a first information processing device for receiving access information for accessing content (CLIENT COMPUTER, Fig. 6, unit (630), The store.com web site 610 is accessed by a user from a client computer 630 [0085]), a second information processing device for transmitting the access information to the first information processing device (STORE.COM SERVER COMPUTER, Fig. 6, unit. (600)), and a third information processing device for detecting action information (ABOUTME.COM SERVER COMPUTER, Fig. 6, unit (640)), wherein the first information processing device comprises:
a first receiver for receiving the access information from the second information processing device (The store.com web site 610 is accessed by a user from a client

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computer 630[0085], At stage 1, a user who has previously established an account with AboutMe.com and has a persistent AboutMe cookie makes a request to a web site, such as store.com web site 610 at server computer 600[0088]);

a first holding part for holding the access information received by the first receiver (personalization engine 620[0085]); and

a first transmitter for transmitting the access information corresponding to action information to the third information processing device (Fig. 6, stage 1, a link to a dynamic page generating interface at AboutMe.com [0089]);

wherein the second information processing device comprises [Fig. 6, unit (600)];

a first acquiring part for acquiring the action information processable by the third information processing device (Stage 4A, a web browser in client computer 630 accesses the banner link and passes a request to the CGI program at AboutMe.com [0095]);

a second transmitter for transmitting the access information corresponding to the action information to the first information processing device (At stage 3, the store.com web page is transmitted to client computer 630 [0094])

a second receiver for receiving an address of a device with which an action was performed and the access information corresponding to the performed action from the third information processing device (At stage 6B, the user's personal information retrieved from database 650 is sent from central computer 640 to server computer 600 [0102]); and

a third transmitter for transmitting content to the address in accordance with the access

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information received by the second receiver (At stage 4B, personalization engine 620 tries to obtain information from central computer 440 about the current user identified by the user ID store.com789 [0096]); and

wherein the third information processing device comprises [ABOUTME.COM SERVER COMPUTER, Fig. 6, unit. 640]:

a third receiver for receiving the access information and the action information corresponding to the access information from the first information processing device (At stage 4A, a web browser in client computer 630 accesses the banner link and passes a request to the CGI program at AboutMe.com specified by personalization engine 620, including the user ID argument store.com789 [0095]),

a second holding part for holding the access information so as to correspond to the action information received by the third receiver (At stage 5A, central computer 640, having received both the user ID and the AboutMe.com cookie, is able to match the user ID with the user's subscriber number. FIG. 6, the discovered temporary relationship store.com789=xyz123 is recorded in database 650 [0099]);

a second acquiring part for acquiring the address of the device with which the action was performed, the action and the action information (It may be appreciated that after stage 6B, server computer can identify the user who accessed web site 610 at stage 1 [0102], aboutme personalization engine, Fig. 6, unit (620));

a retrieving part for retrieving the access information corresponding to the action information from the information held by the second holding part (At stage 5B, central computer 640 searches for and retrieves personal information about the user identified

by a user ID, in response to the request issued at stage 4B [0100], At stage 6A, central computer sends back the banner image for the banner link embedded by personalization engine 620, to client computer 630 [0101]); and a fourth transmitter for transmitting the address acquired by the second acquiring part and the access information retrieved by the retrieving part to the second information processing device (At stage 6B, the user's personal information retrieved from database 650 is sent from central computer 640 to server computer 600 [0102]).

Regarding claim 22, Morgan teaches further wherein an information processing method for an information processing system, which has similar limitations as those of claim 21; therefore, it's rejected under the same rationale as in claim 21.

Regarding claim 23, Morgan teaches further wherein an information processing device, which has similar limitations as those of claim 1; therefore, it's rejected under the same rationale as in claim 1.

Claim 24 has the similar limitation as those of claims 21 & 23; therefore, it's rejected under the same rationale as in claims 21 & 23.

Claim 25 has the similar limitation as those of claims 21 & 23; therefore, it's rejected under the same rationale as in claims 21 & 23.

Claim 26 has the similar limitation as those of claims 1 & 23; therefore, it's rejected under the same rationale as in claims 21 & 23.

Claim 27 has the similar limitation as those of claims 1 & 23; therefore, it's rejected under the same rationale as in claims 21 & 23.

Regarding claim 28, Morgan teaches wherein an information processing method for an information processing device that receives access information for accessing content from a first another information processing device (CLIENT COMPUTER, Fig. 6, unit (630); The store.com web site 610 is accessed by a user from a client computer 630 [0085], STORE.COM SERVER COMPUTER, Fig. 6, unit. (600)), the method comprising:

receiving the access information from the first another information processing device (CLIENT COMPUTER, Fig. 6, unit (630), The store.com web site 610 is accessed by a user from a client computer 630 [0085]); holding the access information received in the processing of the step of receiving (personalization engine 620[0085]); and transmitting action information corresponding to the access information to a second another information processing device (STORE.COM SERVER COMPUTER, Fig. 6, unit. (600)).

Regarding claim 29, Morgan teaches wherein a program storage medium in which a computer-readable program (Database, Servers, computer) for an information processing device that receives access information for accessing content from a first another information processing device is stored, the program (CLIENT COMPUTER, Fig. 6, unit (630), The store.com web site 610 is accessed by a user from a client

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computer 630 [0085], STORE.COM SERVER COMPUTER, Fig. 6, unit. (600))

comprising:

a receiving step of receiving the access information from the first another information processing device (CLIENT COMPUTER, Fig. 6, unit (630), The store.com web site 610 is accessed by a user from a client computer 630 [0085]);

a hold controlling step of controlling holding of the access information received in the processing of the receiving step (personalization engine 620[0085]); and

a transmitting step of transmitting action information corresponding to the access information to a second another information processing device (STORE.COM SERVER COMPUTER, Fig. 6, unit. (600)).

Regarding claim 30, Morgan teaches wherein a program for a computer that controls an information processing device for receiving access information for accessing content from a first another information processing device, the program causing the computer to execute (CLIENT COMPUTER, Fig. 6, unit (630), The store.com web site 610 is accessed by a user from a client computer 630 [0085], STORE.COM SERVER COMPUTER, Fig. 6, unit. (600)):

a receiving step of receiving the access information from the first another information processing device (CLIENT COMPUTER, Fig. 6, unit (630), The store.com web site 610 is accessed by a user from a client computer 630 [0085]);

a hold controlling step of controlling holding of the access information received in the processing of the receiving step (personalization engine 620[0085]); and

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a transmitting step of transmitting action information corresponding to the access information to a second another information processing device (STORE.COM SERVER COMPUTER, Fig. 6, unit. (600)).

Regarding claim 31, Morgan teaches wherein an information processing device, comprising:

an acquiring part for acquiring action information processable by a first another information processing device (Stage 4A, a web browser in client computer 630 accesses the banner link and passes a request to the CGI program at AboutMe.com [0095]);

a first transmitter for transmitting access information corresponding to the action information to a second another information processing device [Fig. 6, stage 1];

a receiver for receiving an address of a device with which an action was performed and the access information corresponding to the performed action from the first another information processing device (At stage 6B, the user's personal information retrieved from database 650 is sent from central computer 640 to server computer 600 [0102]);

and

a second transmitter for transmitting content to the address in accordance with the access information received by the receiver (At stage 3, the store.com web page is transmitted to client computer 630 [0094]).

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Claim 32 has the similar limitation as those of claims 21 & 31; therefore, it's rejected under the same rationale as in claims 21 & 31.

Claim 33 has the similar limitation as those of claims 21 & 31; therefore, it's rejected under the same rationale as in claims 21 & 31.

Claim 34 has the similar limitation as those of claims 21 & 31; therefore, it's rejected under the same rationale as in claims 21 & 31.

Regarding claim 35, Morgan teaches wherein an information processing device, comprising:

a first receiver for receiving access information and action information corresponding to the access information from a first another information processing device (The store.com web site 610 is accessed by a user from a client computer 630 [0085], At stage 1, a user who has previously established an account with AboutMe.com and has a persistent AboutMe cookie makes a request to a web site, such as store.com web site 610 at server computer 600[0088]);

a holding part for holding the access information so as to correspond to the action information received by the first receiver (personalization engine 620[0085]);

an acquiring part for acquiring the action information and an address of a device with which the action is performed (Stage 4A, a web browser in client computer 630 accesses the banner link and passes a request to the CGI program at AboutMe.com [0095]);

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a retriever for retrieving the access information corresponding to the action information from the information held by the holding part (At stage 5B, central computer 640 searches for and retrieves personal information about the user identified by a user ID, in response to the request issued at stage 4B [0100], At stage 6A, central computer sends back the banner image for the banner link embedded by personalization engine 620, to client computer 630 [0101]); and

a first transmitter for transmitting the address acquired by the acquiring part and the access information retrieved by the retriever to a second another information processing device (At stage 6B, the user's personal information retrieved from database 650 is sent from central computer 640 to server computer 600 [0102]).

Regarding claim 36, Morgan teaches wherein an information processing device according to claim 35, further comprising a second transmitter for transmitting a processable action to the first another information processing device (At stage 3, the store.com web page is transmitted to client computer 630 [0094]).

Regarding claim 37, Morgan teaches wherein an information processing device according to claim 35, further comprising:
a second receiver for receiving the access information and an ID corresponding to the access information from the first another information processing device (At stage 6B, the user's personal information retrieved from database 650 is sent from central computer 640 to server computer 600 [0102]);

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a second retriever for retrieving the same access information as the access information received by the second receiver, from the holding part; and
a storing part for storing the ID so as to correspond to the access information retrieved by the second retriever (At stage 5B, central computer 640 searches for and retrieves personal information about the user identified by a user ID, in response to the request issued at stage 4B [0100], At stage 6A, central computer sends back the banner image for the banner link embedded by personalization engine 620, to client computer 630 [0101]);.

Regarding claim 38, Morgan teaches wherein an information processing method for an information processing device for detecting action information (Method for providing user information [0010], the method comprising:

receiving access information and action information corresponding to the access information from a first another information processing device (CLIENT COMPUTER, Fig. 6, unit (630), The store.com web site 610 is accessed by a user from a client computer 630 [0085]);

holding the access information so as to correspond to the action information received in the processing of the step of receiving (personalization engine 620 [0085]);

acquiring an address of a device with which an action was performed and the action information (Stage 4A, a web browser in client computer 630 accesses the banner link and passes a request to the CGI program at AboutMe.com [0095]);

retrieving the access information corresponding to the action information from the

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information held in the processing of the step of holding (At stage 5B, central computer 640 searches for and retrieves personal information about the user identified by a user ID, in response to the request issued at stage 4B [0100], At stage 6A, central computer sends back the banner image for the banner link embedded by personalization engine 620, to client computer 630 [0101]); and

transmitting the address acquired in the processing of the step of acquiring and the access information retrieved in the processing of the step of retrieving to a second another information processing device (At stage 6B, the user's personal information retrieved from database 650 is sent from central computer 640 to server computer 600 [0102]).

Claim 39 has the similar limitation as those of claims 21 & 38; therefore, it's rejected under the same rationale as in claims 21 & 31.

Claim 40 has the similar limitation as those of claims 21 & 38; therefore, it's rejected under the same rationale as in claims 21 & 38.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,946,464 to Kito et al.


U.S. Patent 7,069,309 to Dodrill et al.

U.S. Patent 6,915,284 to Adar et al.

U.S. Patent 6,859,838 to Puranik et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sulaiman Nooristany whose telephone number is (571) 270-1929. The examiner can normally be reached on M-F from 9 to 5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu, can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sulaiman Nooristany 7/5/2007


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TC 2100